

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL J. WAPPLER,

Case No. 4:05-CV-90

Plaintiff,

v.

Hon. Richard Alan Enslen

MATTHEW BREVARD, *et al.*,

PARTIAL JUDGMENT

Defendants.

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In accordance with the Opinion of this date;

IT IS HEREBY ORDERED that Plaintiff Michael J. Wappler's Objections (Dkt. No. 161) are **GRANTED IN PART AND DENIED IN PART** and the Report and Recommendation (Dkt. No. 152) is **ADOPTED IN PART AND REJECTED IN PART**.

IT IS FURTHER ORDERED that Plaintiff's Motion for Partial Summary Judgment (Dkt. No. 79) is **DENIED** and Defendant Mary Hocking's Rule 56(b) Motion for Summary Judgment (Dkt. No. 112) is **GRANTED**.

IT IS FURTHER ORDERED that summary judgment is **GRANTED** in favor of Defendants Mary Hocking and Dale Hulbert, and all federal claims against them are **DISMISSED WITH PREJUDICE**, though this dismissal does not affect federal claims against other Defendants, nor does it affect Plaintiff's state law conversion claims against Defendants Hocking and Hulbert.

DATED in Kalamazoo, MI:
October 30, 2006

/s/ Richard Alan Enslen
RICHARD ALAN ENSLEN
SENIOR UNITED STATES DISTRICT JUDGE